

may well be innocent law-biding citizens. The bill threatens states with the partial loss of their drug control grants if they do not test individuals accused of rape for HIV. These individuals have not been convicted of a crime therefore it is not right to subject them to a mandatory health test. This action is a violation of these individuals' due process rights that are afforded to them during a search and seizure.

This bill violates the privacy of United States citizens. The law requires states to provide health information of individuals' accused—not convicted—of rape to court officials and to the prosecutor. This information is private medical documentation that this law encourages States to make public. The release of this information to the public could adversely affect innocent law biding individuals who are found not guilty. With the public misconceptions and lack of understanding surrounding the HIV virus, these individuals could experience job discrimination and social exclusion if these records become public.

Moreover, this legislation unfairly targets individuals with HIV and gives the implication that having HIV as being a crime rather than a medical condition. It is time that this Congress began treating diseases such as HIV as a medical condition and not a crime.

It is disgraceful that the majority has decided to put such a controversial bill on the suspension calendar. This bill has not had a hearing or a mark-up in committee and it only has eleven Republican cosponsors. This is another example of the Majority trying to score election year points rather than passing thoughtful legislation that improves the health and respects the rights of all United States citizens.

Mrs. FOWLER. Mr. Speaker, today I rise in support of H.R. 3088. I believe that we in Congress must do everything possible to insure the emotional, mental and physical health of the victims of violent crime.

In recent years Congress has worked very hard to elevate the status of the victim in the criminal court process—by recognizing the need for victims' rights and writing those rights into law.

Now we have the opportunity to expand upon doing the right thing for the victims of violent crime. HIV testing of those charged with violent crimes is a step in the right direction. The second step—making it legal to tell the victims the medical test results—is essential for their emotional, mental and physical health. And, of course, timeliness of testing and notification of the victim is of the essence.

We will never be able to undo the harm that has been done to the victim, but we can take steps to control its long-term effects. I urge my colleagues on both sides of the aisle to take a stand on victims' rights. Vote yes on H.R. 3088.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Florida (Mr. CANADY) that the House suspend the rules and pass the bill, H.R. 3088.

The question was taken.

Mr. WELDON of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 4 o'clock and 56 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 6 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed today in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 4049, by the yeas and nays;

H.R. 4147, by the yeas and nays; and

H.R. 3088, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

PRIVACY COMMISSION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4049, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 4049, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 250, nays 146, not voting 37, as follows:

[Roll No. 503]

YEAS—250

| | | |
|--------------|------------|----------------|
| Aderholt | Bliley | Chenoweth-Hage |
| Allen | Blumenauer | Clement |
| Archer | Blunt | Coble |
| Armey | Boehmert | Collins |
| Bachus | Boehner | Combest |
| Baird | Bonilla | Cooksey |
| Baker | Bono | Costello |
| Ballenger | Boswell | Cramer |
| Barcia | Boyd | Crane |
| Barrett (NE) | Brady (TX) | Crowley |
| Barrett (WI) | Burton | Cunningham |
| Bartlett | Buyer | Davis (FL) |
| Bass | Callahan | Davis (VA) |
| Bentsen | Calvert | DeFazio |
| Bereuter | Camp | DeGette |
| Berkley | Canady | DeLay |
| Berry | Cannon | DeMint |
| Biggert | Capps | Diaz-Balart |
| Bilbray | Castle | Dickey |
| Bilirakis | Chabot | Dicks |
| Bishop | Chambliss | Dooley |

| | | |
|---------------|---------------|---------------|
| Doolittle | Kuykendall | Rogers |
| Dreier | LaHood | Ros-Lehtinen |
| Duncan | Lampson | Roukema |
| Dunn | Largent | Ryan (WI) |
| Edwards | Larson | Ryan (KS) |
| Ehlers | Latham | Salmon |
| Emerson | LaTourette | Sandlin |
| English | Leach | Saxton |
| Etheridge | Lewis (CA) | Scarborough |
| Ewing | Lewis (KY) | Schaffer |
| Foley | Linder | Sensenbrenner |
| Forbes | Lipinski | Sessions |
| Fossella | LoBiondo | Shadegg |
| Fowler | Lucas (KY) | Shaw |
| Frelinghuysen | Lucas (OK) | Shays |
| Frost | Maloney (CT) | Sherwood |
| Gallegly | Maloney (NY) | Shimkus |
| Ganske | Manzullo | Shuster |
| Gekas | Mascara | Simpson |
| Gibbons | McCarthy (NY) | Sisisky |
| Gilman | McCrery | Skeen |
| Gonzalez | McHugh | Smith (MI) |
| Goode | McInnis | Smith (NJ) |
| Gordon | McIntyre | Smith (TX) |
| Goss | McKeon | Smith (WA) |
| Graham | McNulty | Souder |
| Granger | Meek (FL) | Spratt |
| Green (WI) | Metcalf | Stabenow |
| Greenwood | Mica | Stearns |
| Gutknecht | Miller (FL) | Stump |
| Hall (TX) | Miller, Gary | Sununu |
| Hansen | Minge | Sweeney |
| Hastings (WA) | Moore | Talent |
| Hayes | Moran (KS) | Tancred |
| Hayworth | Moran (VA) | Tanner |
| Herger | Morella | Taylor (NC) |
| Hill (IN) | Myrick | Terry |
| Hill (MT) | Nethercutt | Thornberry |
| Hobson | Ney | Thune |
| Hoekstra | Northup | Tiahrt |
| Holt | Nussle | Toomey |
| Hooley | Ose | Trafficant |
| Horn | Oxley | Turner |
| Hostettler | Packard | Udall (CO) |
| Hulshof | Pascarell | Vitter |
| Hunter | Pastor | Walden |
| Hutchinson | Pease | Walsh |
| Hyde | Peterson (MN) | Wamp |
| Inslee | Peterson (PA) | Watkins |
| Isakson | Petri | Watts (OK) |
| Istook | Phelps | Weiner |
| Jenkins | Pitts | Weldon (FL) |
| Johnson (CT) | Porter | Weldon (PA) |
| Johnson, Sam | Price (NC) | Weller |
| Jones (NC) | Pryce (OH) | Whitfield |
| Kasich | Quinn | Wicker |
| Kelly | Radanovich | Wilson |
| Kildee | Ramstad | Wolf |
| Kind (WI) | Regula | Wu |
| Kingston | Reynolds | Young (AK) |
| Klecza | Rivers | Young (FL) |
| Knollenberg | Roemer | |
| Kolbe | Rogan | |

NAYS—146

| | | |
|-------------|----------------|----------------|
| Abercrombie | Doggett | LaFalce |
| Ackerman | Doyle | Lantos |
| Baca | Ehrlich | Lee |
| Baldwin | Engel | Levin |
| Barr | Evans | Lewis (GA) |
| Barton | Farr | Lofgren |
| Becerra | Fattah | Lowe |
| Berman | Filner | Luther |
| Bonior | Ford | Markey |
| Borski | Frank (MA) | Matsui |
| Boucher | Gedjenson | McCarthy (MO) |
| Brady (PA) | Gephardt | McDermott |
| Brown (OH) | Gillmor | McGovern |
| Bryant | Goodlatte | McKinney |
| Burr | Green (TX) | Meehan |
| Capuano | Gutierrez | Meeks (NY) |
| Cardin | Hall (OH) | Menendez |
| Clayton | Hefley | Millender |
| Clyburn | Hilliard | McDonald |
| Coburn | Hinchey | Miller, George |
| Condit | Hinojosa | Mink |
| Conyers | Holden | Moakley |
| Cox | Hoyer | Mollohan |
| Coyne | Jackson (IL) | Murtha |
| Cubin | Jackson-Lee | Nadler |
| Cummings | (TX) | Napolitano |
| Danner | John | Norwood |
| Davis (IL) | Johnson, E. B. | Oberstar |
| Deal | Jones (OH) | Obey |
| Delahunt | Kanjorski | Olver |
| DeLauro | Kaptur | Ortiz |
| Deutsch | Kennedy | Pallone |
| Dingell | Kilpatrick | Payne |
| Dixon | Kucinich | Pelosi |

Pickering
Pickett
Pombo
Pomeroy
Rahall
Rangel
Reyes
Rodriguez
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders

Sanford
Sawyer
Schakowsky
Scott
Sherman
Shows
Skeltion
Slaughter
Snyder
Stark
Stenholm
Strickland
Stupak
Tauscher
Tauzin
Thomas

Thompson (CA)
Thompson (MS)
Thurman
Tierney
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wynn

Baldwin
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Barcia
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Barrett (NE)
Barrett (WI)
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Barton
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Bentsen
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Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
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Inslee
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Jackson-Lee
(TX)
Jenkins
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Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
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Kennedy
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Kilpatrick
Kind (WI)
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Lucas (KY)
Lucas (OK)
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Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
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Millender-
McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Ose
Oxley
Packard
Pallone
Pascarell
Pastor
Payne
Pease
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Peterson (PA)
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Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)

Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
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Skeltion
Slaughter
Smith (MI)
Smith (NJ)

Smith (TX)
Smith (WA)
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Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
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Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
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Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney

Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—37

Andrews
Baldacci
Blagojevich
Brown (FL)
Campbell
Carson
Clay
Cook
Eshoo
Everett
Fletcher
Franks (NJ)
Gilchrest

Goodling
Hastings (FL)
Hilleary
Hoeffel
Houghton
Jefferson
King (NY)
Klink
Lazio
Martinez
McCollum
McIntosh
Neal

Owens
Paul
Portman
Riley
Serrano
Spence
Taylor (MS)
Towns
Vento
Wise
Woolsey

Brady (PA)
Brady (TX)
Brown (OH)
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Calvert
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Canady
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DeLauro
DeLay
DeMint
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Diaz-Balart
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Dixon
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Dreier
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Edwards
Ehlers
Ehrlich
Emerson
Engel
English

Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
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Frelinghuysen
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Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
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Kuykendall
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Largent
Larson
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LaTourette
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Lewis (GA)
Lewis (KY)

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LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalfe
Mica
Millender-
McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Ose
Oxley
Packard
Pallone
Pascarell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)

Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skeltion
Slaughter
Smith (MI)
Smith (NJ)

Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney

Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Scott

Watt (NC)

NOT VOTING—34

Blagojevich
Brown (FL)
Campbell
Carson
Clay
Cook
Eshoo
Everett
Fletcher
Frank (MA)
Franks (NJ)
Gilchrest

Goodling
Hastings (FL)
Hilleary
Houghton
Hutchinson
Jefferson
King (NY)
Klink
Lazio
Martinez
McCollum
McIntosh

Neal
Owens
Paul
Portman
Riley
Spence
Towns
Vento
Wise
Woolsey

□ 1826

Messrs. JACKSON of Illinois, VIS-CLOSKY, BRYANT, PICKERING, POMBO, NORWOOD, BURR of North Carolina, GOODLATTE, EHRLICH, ROHRABACHER, BERMAN, BECERRA, and Ms. SANCHEZ and Ms. DANNER changed their vote from “yea” to “nay.”

Mr. KLECZKA and Mrs. CAPPS changed their vote from “nay” to “yea.”

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

STOP MATERIAL UNSUITABLE FOR
TEENS ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4147.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. CANDY) that the House suspend the rules and pass the bill, H.R. 4147, on which the yeas and nays were ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 2, not voting 34, as follows:

[Roll No. 504]

YEAS—397

Abercrombie
Ackerman
Aderholt
Allen

Andrews
Archer
Armey
Baca

Bachus
Baird
Baker
Baldacci

Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass

Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass

Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey

Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger

Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger

□ 1836

Mrs. JONES of Ohio and Mr. JACKSON of Illinois changed their vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VICTIMS OF RAPE HEALTH
PROTECTION ACT

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and passing the bill, H.R. 3088.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. CANDY) that the House suspend the rules and pass the bill, H.R. 3088, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 380, nays 19, not voting 34, as follows:

[Roll No. 505]

YEAS—380

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey

Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger

Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger